

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

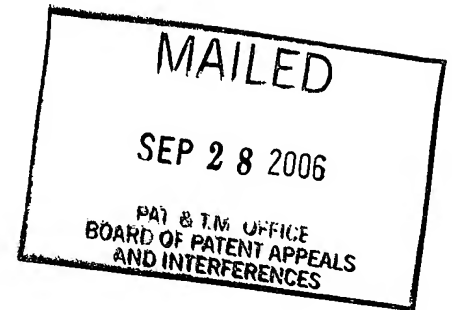
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Ex parte SHIGEO NAKAGAKI,  
and YASUYUKI WAGATSUMA

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Application No. 10/020,910

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on August 30, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On January 30, 2006, an Examiner's Answer was entered into the record. In the Evidence Relied Upon section, page 2, paragraph 8, the examiner has stated, "No evidence is relied upon by the examiner in the rejection of the claims under appeal." A review of the file reveals that references to Aulanko et al (U.S. Patent No. 5,899,301), and Ericson et al. (U.S. Patent No. 4,848,519) were applied to the statement of rejections in the Grounds of Rejection, paragraph (9) of the examiner's

answer. Before further review, the examiner must submit a corrected examiner's answer that will include in the Evidence Relied Upon section, the list of references mentioned in the statement of rejections. See the Manual of Patent Examining Procedure, (MPEP) 1207.02. Appropriate correction is required.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner to:

- 1) issue a revised Examiner's Answer having the missing references listed under the Evidence Relied Upon section, paragraph (8); and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW

Deputy Chief Appeal Administrator  
(571) 272-9797

DMS/dal

Application No. 10/020,910

C. IRVIN MCCLELLAND  
OBLON, SPIVAK, MCCELLAND, MAIER  
& NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314